

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**AMENDED MASTER SHORT FORM
COMPLAINT FOR DAMAGES FOR
INDIVIDUAL CLAIMS AND DEMAND
FOR JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

MAYGRET WOOD (DECEASED)

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
conservator):

TIFFANY WOOD – Personal Representative (pending)

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
the time of implant:

MARYLAND

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

MARYLAND

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

MARYLAND

7. District Court and Division in which venue would be proper absent direct filing:

Maryland District Court, Greenbelt Division

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery[®] Vena Cava Filter

☐ G2[®] Vena Cava Filter

☒ G2[®] Express (G2[®] X) Vena Cava Filter

☐ Eclipse[®] Vena Cava Filter

☐ Meridian[®] Vena Cava Filter

☐ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product:

On or about June 2, 2010

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

- 1 ☒ Count XIII: Fraudulent Concealment
- 2 ☒ Count XIV: Violations of Maryland Law Prohibiting Consumer Fraud
- 3 and Unfair and Deceptive Trade Practices
- 4 ☐ Count XV: Loss of Consortium
- 5 ☒ Count XVI: Wrongful Death
- 6 ☒ Count XVII: Survival
- 7 ☒ Punitive Damages
- 8 ☐ Other(s): _____ (please state the facts supporting
- 9 this Count in the space immediately below)

10 _____

11 _____

12 _____

13 _____

14 _____

15 13. Jury Trial demanded for all issues so triable?

- 16 ☒ Yes
- 17 ☐ No

1 RESPECTFULLY SUBMITTED this 29th day of March, 2016.

2 **LOPEZ McHUGH LLP**

3 By: /s/Matthew R. Lopez
4 Ramon Rossi Lopez (CA Bar No. 86361)
5 (admitted *pro hac vice*)
6 Matthew Ramon Lopez (CA Bar No. 263134)
7 (admitted *pro hac vice*)
8 100 Bayview Circle, Suite 5600
9 Newport Beach, California 92660

7 *Attorneys for Plaintiffs*

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9
10 I hereby certify that on this 29th day of March, 2016, I electronically transmitted the
11 attached document to the Clerk's Office using the CM/ECF System for filing and transmittal
12 of a Notice of Electronic Filing.

13 /s/Matthew R. Lopez